

to be dispensed without a prescription from a practitioner licensed by law to administer such drugs. Such acts of dispensing were contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed drugs being misbranded while held for sale.

**DISPOSITION:** October 2, 1953. The defendants having entered pleas of *nolo contendere*, the court fined each defendant \$50.

**4224. Misbranding of sulfathiazole tablets.** U. S. v. Elmer E. Reese (Reese Drug Co.). Plea of guilty. Fine, \$25. (F. D. C. No. 34821. Sample Nos. 46303-L, 46304-L, 46306-L.)

**INFORMATION FILED:** October 1, 1953, Middle District of Alabama, against Elmer E. Reese, trading as the Reese Drug Co., Phenix City, Ala.

**NATURE OF CHARGE:** On or about July 22, 23, and 25, 1952, while a number of *sulfathiazole tablets* were being held for sale at the Reese Drug Co., after shipment in interstate commerce, the defendant caused various quantities of the drug to be dispensed without a prescription from a practitioner licensed by law to administer such drug. Such act of dispensing was contrary to the provisions of Section 503 (b) (1), and resulted in the dispensed drug being misbranded while held for sale.

**DISPOSITION:** October 1, 1953. The defendant having entered a plea of guilty, the court fined him \$25.

**4225. Adulteration and misbranding of Cobiplex elixir, Probese capsules, and Sedamar elixir.** U. S. v. 10 Bottles, etc. (F. D. C. No. 35303. Sample Nos. 51253-L, 51255-L, 51259-L.)

**LIBEL FILED:** June 10, 1953, Southern District of New York.

**ALLEGED SHIPMENT:** On or about December 8, 1952, and February 11 and April 9, 1953, by the Mara Laboratories, from Harrison, N. J.

**PRODUCT:** 10 1-pint bottles of *Cobiplex elixir*, 6 100-capsule bottles of *Probese capsules*, and 5 1-pint bottles of *Sedamar elixir*, at New York, N. Y.

Examination showed that the *Cobiplex elixir* contained 81 percent of the declared amount of vitamin B<sub>1</sub> and 70 percent of the declared amount of vitamin B<sub>2</sub>; that the *Probese capsules* contained 40 percent of the declared amount of vitamin A and 85 percent of the declared amount of vitamin C; and that the *Sedamar elixir* contained 14 percent of the declared amount of vitamin B<sub>6</sub>.

**LABEL, IN PART:** (Bottle) "One Pint Elixir Cobiplex," "100 Capsules Probese \* \* \* Caution: To be dispensed only by or on the prescription of a physician," and "One Pint Elixir Sedamar \* \* \* Caution—To be dispensed only by or on the prescription of a physician."

**NATURE OF CHARGE:** *Cobiplex elixir*. Adulteration, Section 501 (c), the strength of the article differed from that which it purported or was represented to possess, namely, 2 milligrams of vitamin B<sub>1</sub> and 2 milligrams of vitamin B<sub>2</sub> per teaspoonful. Misbranding, Section 502 (a), the label statement "Each Teaspoonful \* \* \* Contains: Vitamin B<sub>1</sub> \* \* \* 2 mg. Vitamin B<sub>2</sub> \* \* \* 2 mg." was false and misleading as applied to the article, which contained less than 2 milligrams of vitamin B<sub>1</sub> and less than 2 milligrams of vitamin B<sub>2</sub> per teaspoonful.

*Probese capsules*. Adulteration, Section 501 (c), the strength of the article differed from that which it purported or was represented to possess, namely, 4000 U. S. P. units of vitamin A and 30 milligrams of vitamin C per capsule.